

March 30, 2000

Overall, Mr. Speaker, it was a good forum. The information derived must be used to ensure agriculture is not forgotten.

As the House prepares to reauthorize the 1996 Farm Bill the conclusion of the Colorado agriculture forum should be considered by our colleagues.

#### INTRODUCTION OF CARE 21

### HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. RAHALL. Mr. Speaker, today I am introducing legislation to restore our Nation's historic commitment to insuring lifetime health care for retired coal miners. Joining me in introducing this bill, which will be known as CARE 21, is a bipartisan group of our colleagues: BOB NEY, SPENCER BACHUS, RICK BOUCHER, TIM HOLDEN, RON KLING, ALAN MOLLOHAN, JOHN MURTHA, TED STRICKLAND, and BOB WISE.

Enactment this year of CARE 21, the "Coal Accountability and Retired Employee Act for the 21st Century," is necessary if we are to avoid seeing a curtailment in health care coverage for thousands of retired coal miners and their widows. Indeed, this would not be the first time that Congress has acted in this matter. In 1992, in what is known as the "Coal Act" enacted as part of the Energy Policy Act, Congress established the UMWA Combined Benefit Fund (CBF) combining the union's 1950 and 1974 benefit plans. This action came in response to changes in the coal industry which created a large class of 'orphaned' miners whose benefits were no longer being paid by an active coal company. A key feature of the Coal Act was the financing of orphaned miner health care costs through an annual transfer of a portion of the interest which accrues to the unappropriated balance in the Abandoned Mine Reclamation Fund.

Simply put, in restoring abandoned coal mine lands we must not abandon the retired coal miner.

The Coal Act was working well, health care for retirees whose former employers could be identified would be financed by premiums paid by those companies while to date, \$193 million in reclamation fund interest and a one-time \$68 million additional appropriation has financed orphaned miner care.

However, a rash of recent adverse court decisions have been rendered which once again is threatening the financial integrity of the program. Among them, what is known as the "Chater" decision which overturned the Social Security Administration's premium determination reducing premiums by 10 percent. Another court decision ordered the CBF to refund about \$40 million in contributions. And the Supreme Court's decision in the Eastern Enterprise case added some 8,000 retirees to the orphaned miner rolls. The result: Without a new source of funds, the CBF will face a cash shortage beginning next year forcing the curtailment and ultimately the cessation of health care coverage for some 70,000 retirees and widows whose average age is 78.

CARE 21 takes a relatively simple and straightforward approach to addressing this

#### EXTENSIONS OF REMARKS

impending crisis. First, it would transfer the amount of interest that is currently languishing in the Abandoned Mine Reclamation Fund to the CBF that was not previously made available for orphaned miner health care. This would provide an immediate infusion of roughly \$172 million. Second, it would lift the restriction in current law that reclamation fund interest can only be used for orphaned miner health care. This action would serve to cover future shortfalls in the CBF.

I would note that interest accrues to the Abandoned Mine Reclamation Fund at a rate of about \$83 million a year. Meanwhile, there is a \$1.7 billion unappropriated balance in the Fund. CARE 21 in no way adversely affects the abandoned mine reclamation program. The principal remains intact for that effort, and is fueled by annual reclamation fees assessed on every ton of mined coal which finances the program.

As such, one of the key features of CARE 21 is that the general taxpayer is not being called upon to pay for retired coal miner health care, but rather, the coal industry itself would provide for this coverage through the interest which accrues to the fees it pays into the Abandoned Mine Reclamation Fund.

Mr. Speaker, I noted earlier there is a historical commitment to providing health care for retired coal miners. This is a unique situation in that what would normally be a matter solely for the private sectors is not in this instance. The genesis for this situation dates back to 1946 in an agreement between then-UMW President John L. Lewis and the Federal Government to resolve a long-running labor dispute. At the time, President Truman had ordered the Interior Secretary to take possession of all bituminous coal mines in the country in an effort to break a United Mine Workers of America strike. Eventually, Lewis and Secretary Julius Krug reached an agreement that included an industry-wide, miner controlled health plan.

In fact, the 1992 Coal Act itself was formulated partly on the basis of recommendations from the Coal Commission, established by former Labor Secretary Libby Dole, which in 1990 recommended a statutory obligation to help finance the UMWA's Health Benefit Funds.

Mr. Speaker, the people covered by this health care program spent their careers producing the energy which powered this Nation to greatness. We must not forsake them. We must not cast them adrift in their later years, robbed of the health care they so desperately need.

#### PERSONAL EXPLANATION

### HON. JACK METCALF

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. METCALF. Mr. Speaker, on March 28, I was excused from the business of the House. Had I been here, I would have voted "yes" on rollcall vote 76 (H.R. 2412); "yes" on rollcall vote 77 (H. Con. Res. 292); "yes" on rollcall vote 78 (H. Con. Res. 269); "yes" on rollcall vote 79 (H.R. 5), The Senior Citizens' Freedom to Work Act.

4205

#### 2000 EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT

SPEECH OF

### HON. VAN HILLEARY

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2000

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 3908) making emergency supplemental appropriations for the fiscal year ending September 30, 2000, and for other purposes:

Mr. HILLEARY. Mr. Chairman, I am very pleased today to support this important amendment, which will help clean up methamphetamine labs and come to the aid of law enforcement across the country.

Last year, funding was ended for this support program, and the funds were entirely diverted into training. I feel that decision was a mistake. Local law enforcement needs this money directly in order to offset the high costs associated with meth lab cleanups. They need it in order to more effectively fight the war on drugs and clean up the contamination and environmental problems these labs leave behind.

In my own district, individuals like Sheriff Eddie Bass of Giles County in Tennessee have effectively used these dollars in the past. Working in conjunction with the Drug Enforcement Agency, Sheriff Bass has made great strides in reducing the number of methamphetamine labs in Giles County. But cleaning up these labs is expensive, very expensive for rural law enforcement agencies that have limited resources to begin with. Our rural law enforcement officers, like Sheriff Bass need our help to combat this national problem.

Sheriff Bass has already implemented state-of-the-art programs and facilities. I personally have toured the local jail in Giles County and can say from first-hand experience that it is deserving of every accolade as one of the model examples in the state. Now, I also want to provide him, and outstanding officials like him, the ability to continue the model meth lab cleanup programs that they had in place.

We must give officials like Sheriff Bass the support that they need. Otherwise, we will be sending them a message that it may not be financially worth their trouble to stop the production in these labs. Let's instead send a message to drug dealers and producers that we will stand behind the efforts of federal and local law enforcement in the war against drugs in our communities.

I encourage all of my colleagues to support this amendment so that these dollars will once again be able to be used by local law enforcement officials like Sheriff Bass.

VETERANS' HISTORIAN AL KADY PRESERVES CENTRAL NEW JERSEY'S CIVIL WAR HERITAGE

### HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. HOLT. Mr. Speaker, I rise today in recognition of two veterans, of two wars, 80 years